

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF ARIZONA**

Takeover Industries Incorporated, et al.,

Plaintiffs,

v.

Michael Holley, et al.,

Defendants.

No. CV-22-00357-PHX-DJH

ORDER

On April 10, 2025, United States Magistrate Judge Alison S. Bachus recommended that the Motion to Disqualify Attorneys Veronica L. Manolio and Spencer Freeman as Attorneys for Parties Jason and Melissa Tucker (“Tuckers”) (“Motion to Disqualify”), filed by Plaintiff/Counterdefendant Labor Smart, Inc. (“LTNC”) and Third-Party Defendants Takeover Industries, Inc. (“Takeover”), Joseph Pavlik (“Pavlik”), Next Gen Beverages, LLC (“Next Gen”) Michael Holley and Chirine Holley (“Holleys”), Thomas Zarro and Kimberly Zarro (“Zarros”) and Toby McBride (“McBride”) (the “R&R”) (Doc. 195) be denied. (Doc. 209). No objections have been filed and the time to do so has expired.


Subsequently, on April 22, 2015, Third-Party Claimants Jason and Melissa Tucker filed an Application for Substitution of Counsel with Client Consent (Doc. 210), seeking to substitute Spencer Freeman in as counsel for Veronica L. Manolio as to their claims against Pavlik. Because the Court will adopt the R&R and deny the Motion to Disqualify, it will also grant the Application for Substitution of Counsel with Client Consent.

Accordingly,

1 **IT IS ORDERED** the Report and Recommendation (Doc. 209) is **adopted**. The
2 Motion to Disqualify (Doc. 195) is **denied**.

3 **IT IS FURTHER ORDERED** **granting** Third-Party Claimants Jason and Melissa
4 Tucker's Application for Substitution of Counsel with Client Consent (Doc. 210) and
5 substituting Spencer Freeman in place of Veronica L. Manolio only as to the Third-Party
6 Claims against Mr. Pavlik.

7 Dated this 28th day of April, 2025.

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11 Honorable Diane J. Humetewa
12 United States District Judge
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